

Approved For Release 2006/08/30 : CIA-RDP84-00780R003500070005-4

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SECTION I. PROPOSALS REQUIRING ADOPTION OF OTHER

ADMINISTRATIVE AUTHORITIES

A. Recommended by Committee

1. PROPOSAL: Authorize the payment of travel and transportation expenses to an employee retiring under the Central Intelligence Retirement Act regardless of his PCS point (United States or abroad) to a place he designates in the United States, its territories or possessions.

Present Regulation: Travel and transportation expenses may be authorized for an employee retiring abroad, regardless of the source of retirement--CSCR or CIAR.

Recommendation: The Committee recommends approval of the above proposal.

Comment: The Foreign Service Act provides a greater travel benefit for some retiring employees than does the CIA Act. Travel and transportation costs are authorized for Foreign Service Officers upon retirement irrespective of the location of their post of assignment, whereas CIA personnel are not granted a travel benefit upon retirement unless they retire abroad. It would seem that the Agency could pattern its authorities along the Foreign Service Act by authorizing the payment of travel costs to persons in the Agency whose careers most closely resemble those of Foreign Service Officers; namely, participants under the CIA Retirement Act. In this regard, the deliberations that went into the development of a rationale for granting the special benefits of the CIA Retirement System to selected Agency personnel are well known, and it is significant that the standards finally arrived at, e.g., career commitment and length of overseas service, bear Congressional approval.

While the Foreign Service Act, as amended, authorizes the Secretary of State to pay travel and transportation costs on the termination of an employee's services (retirement or resignation) "to the place where he will reside," the State Department has construed this phrase, by regulation, to mean the employee's officially recorded place of residence in the U. S. The Committee believes it is neither necessary nor desirable to literally adhere to all provisions of the Department's implementing regulation in order to utilize the authority in the Foreign Service Act, as amended. Instead, the exact arrangement to be effected internally should be predicated upon the needs and interests of the Agency and its personnel within the confines of the adoptive authority available.

Limiting the payment of travel expenses to the permanent place of residence of CIAR retirees would preclude the applicability of the benefit to many employees retiring at Headquarters, since their permanent residence is in the Washington

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Metropolitan area. Allowing CIAR retirees the right of travel to their selected place of retirement in the United States, its territories or possessions would constitute a new and significant benefit, however, which they do not presently enjoy. On the other hand, if the Agency were to pay the travel expenses of CIAR retirees to a place of their choosing anywhere in the world, the Agency's implementation of the adoptive authority in the Foreign Service Act would amount to a major deviation from the system followed in the Department of State. We are not recommending this action in the absence of an observable compelling reason.

Since we cannot foresee what places of residence CIA retirees would choose, given the option to go anywhere in the United States, its territories or possessions, at Government expense, it is not possible to accurately estimate the future costs of this proposal. We did make, however, an analysis of some general statistics concerning CIAR retirees during Calendar Year 1967. Of a total of 68 retirements, 22 employees retired abroad and were entitled to travel expenses to a residence of their choosing under present regulations. Of the remaining 46 retirements, 22 employees (or approximately one-third of the total number of retirees) moved to a residence outside of the Washington, D. C. Metropolitan area. Based on an estimate of the average distance moved (1,362 miles), it is believed that the cost to the Agency for each such move would have been approximately \$2,000, or a total of \$44,000 for the 22 employees affected.

A rough indication of future costs can be computed if it is assumed that only one-third of future retirees under CIAR would continue to be the number to whom the new travel benefit would be payable, at an average rate of \$2,000 per employee. Based upon Office of Personnel projections of the number of employees who will retire under CIAR in the next five years, the future cost estimates are as follows:

<u>CY</u>	<u>Number Est. To Retire</u>	<u>Number Affected By Benefit</u>	<u>Est. Cost New Benefit</u>
1968	78	X 1/3 = 26	26 X \$2,000 = \$52,000
1969	81	X 1/3 = 27	27 X 2,000 = 54,000
1970	106	X 1/3 = 35	35 X 2,000 = 70,000
1971	121	X 1/3 = 40	40 X 2,000 = 80,000
1972	124	X 1/3 = 41	41 X 2,000 = 82,000

The Committee consulted with the Office of Personnel on this proposal and was advised its acceptance should be of assistance in providing a tangible incentive to early retirement.

2. PROPOSAL: Establish a regulatory policy and procedure providing for home leave normally after 24 months but between 18-36 months, when necessary.

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Present Regulation: The initial grant of home leave may be made only after completion of 24 months continuous creditable service outside the United States after 6 September 1960. Following the initial grant, home leave may be granted upon completion of each subsequent period of service outside the United States, which shall not be less than the prescribed tour of duty for the employee's post of assignment unless the Director of Personnel determines that an earlier grant of home leave is warranted in an individual case.

Recommendations: The current regulatory provision limiting initial grants of home leave solely to 24 months (without provision for exceptions) but allowing subsequent grants of home leave upon the completion of an overseas tour, unless the Director of Personnel permits an earlier time, should be deleted. In lieu thereof, an employee should be authorized home leave, either on an initial or subsequent tour, following the completion of whatever period of service is required for home leave eligibility at his station or has been prescribed for him personally in connection with a specific overseas assignment.

Agency regulations should state that home leave will be granted, as soon as administratively convenient, after 24 months continuous service at an overseas post unless official action is taken when necessary in advance to prescribe some other defined period between 18-36 months.

Requests for the establishment at a designated post of a period of service other than 24 months for home leave proposals should be instigated by the Operating Official concerned and approved by the Director of Personnel, in accordance with procedures spelled out in the regulations. An approved request should be applied in the future granting of home leave to all personnel or to designated classes of personnel, e.g. clericals, assigned to the post concerned. Provision should also be made for an Operating Official to request when necessary a special period for home leave eligibility applicable only to an individual employee while on a particular assignment overseas. Consideration of requests for home leave periods other than 24 months, at a post or for an individual, should be permitted by regulation for any official reason, including cover, operational, administration, compassionate, health, or hazard considerations.

The period of home leave eligibility applicable to each employee, whether 24 months or some other approved period, should be shown in an Overseas Agreement, prepared prior to his departure overseas. Once defined in the Agreement, the period of home leave eligibility should be adhered to unless a return short of tour with entitlement to home leave is subsequently approved by the Director of Personnel and the appropriate Career Service, upon request by the Operating Official concerned.

Comment: The Agency's regulation on home leave is presently based upon the Overseas Differentials and Allowances Act, which requires initial tours to be 24 months in duration in order for home leave to be granted. The Secretary of State is authorized by Section 933(a) of the Foreign Service Act of 1946, as amended, to order members of the Foreign Service on home leave no sooner than 18 months and no later than 36 months from the date of assignment to an overseas post. We believe the authority in the Foreign Service Act should be

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adopted, in order to implement the recommendations above, without regard to the 24 months restriction on initial tours.

The Office of General Counsel has upheld the granting of home leave following initial tours other than 24 months when justified for cover or operational reasons. Exceptions to the 24 months period, however, have been infrequent, and were deviations from the definitive requirement in current regulations that initial grants of home leave can be made only after 24 months service. To obviate sporadic handlings of home leave matters in the future, we are proposing that the Agency establish a regulatory procedure which would be generally understood throughout the Agency and could be followed whenever it is felt necessary by Agency officials to institute a designated home leave policy other than 24 months.

We recognize that additional flexibility is needed in order to provide home leave when appropriate to individual employees, especially those that the Agency wishes to return to the United States prior to serving 24 months in an initial tour. The reasons for such returns are often quite varied and valid, e.g., evacuation, completion of an overseas task, reduction in overseas staffing and desire for an employee's services at Headquarters, but the difficulty frequently confronting the Agency is its inability to grant home leave in such cases. Sometimes, the proposed returns short of the originally planned tour only involve a few weeks or days before the 24 months period is completed. The adoptive action proposed above should solve this recurring problem.

Action to establish home leave eligibility following 18 months or some other lesser period than 24 months at a particular station would normally emanate from an Operating Official's desire to conform Agency home leave with cover policies at the post. With respect to personnel, it is the Committee's view that their home leave period normally should be 24 months, consistent with the period required in most other Government agencies.

The Agency could adopt an 18-36 months home leave policy, having varying applicability at different stations, as officially determined, and it could administer such home leave arrangements without regard to the length of overseas tours prescribed for return travel rights and other purposes. We believe, however, it is preferable for clarity of understanding and simplicity of administration to equate periods of service required for home leave eligibility with the periods of overseas service required for various other overseas travel entitlements. We, therefore, consider it appropriate to provide in Agency regulations for a systematic procedure to be followed in prescribing overseas tours other than 24 months and to relate home leave eligibility, return travel, advance return of dependents, etc., to the satisfaction of 24 months service or whatever tour is prescribed for the station concerned. Since the proposal can be implemented by internal authority, the details of our suggestion are contained in Section II of this Report (Proposal 7).

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